



Record Center  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Transportation  
Washington, DC 20590

June 22, 2009

Re: SP 14860-N

Dear Director Billings:

It has come to the attention of the Alaska Primary Care Association (APCA) that the new rules outlined in 49 CFR, Part 173.302(f) will have a critically negative impact on health care access and delivery in medically underserved areas of Alaska if approved. Although the APCA appreciates the PHMSA's concern for flight safety for air passengers, the proposed restriction, if adopted, will put the health of many more Alaskans across a very large geographic area of our state in jeopardy on a 24/7 basis.

For the above reason, the APCA is supporting the Special Permit Referenced #14860-N to "authorize the transportation in commerce of cylinders of compressed oxygen and oxidizing gases without rigid outer packaging when no other means of transportation exist (modes 4, 5)."

The APCA represents primary care safety net providers throughout the Alaska, including 141 Community Health Center (CHC) sites, the majority located in remote areas where no road or railway systems exist, and where limited or no barge services exist. The communities in these frontier areas of the state, about ¾ of Alaska, must rely on air cargo for shipment of medical oxygen.

The Special Permit 14860-N would allow these communities to continue to receive oxygen and oxidizing gases. In addition to primary care services, the CHCs often provide emergency care services and, due to adverse weather conditions, occasionally provide extended stays for patients. The CHCs also work closely with air medical evacuation services and rural hospitals throughout the state; these health care entities rely on readily accessible medical oxygen for patient care as well.

Please bear in mind that if this ruling is not modified or if air cargo handlers cannot obtain a variance to transport oxygen cylinders, the quality and access to health care will be greatly affected in 75% of Alaskan locations. Absent of the permit, the cost of oxygen will significantly increase and result in many communities without access to medical oxygen. Not only is this a general, public health concern for the population in Alaska, but this would translate into grave individual concerns, creating unthinkable circumstances for individual, seriously or critically ill or injured patients.

The APCA learned through the State of Alaska, Department of Health and Social services that current shipping costs for medical oxygen bottles in Alaska are estimated at \$130,000 per year. If the proposed restriction is adopted, the APCA understands that the cost would be as much as an additional \$29

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million per year. The small CHC non-profit clinic sites that are seeing large numbers of uninsured and underinsured patients simply cannot bear increased shipping costs to this degree.

Please consider our remote challenges and grant the request for Special Permit #14860-N to allow a reasonable exception to the rule in Alaska for the delivery of essential medical gases to our communities.

Respectfully,

A handwritten signature in blue ink that reads "Shelley S. Hughes".

Shelley S. Hughes  
Government Affairs Director

cc: Theodore L. Willke, PhD  
Office of Hazardous Materials Safety

Diane LaValle  
Office of Hazardous Materials Safety